

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**FREDRICK LEON TUCKER**  
Petitioner,

v.

**JOSEPH EASTERLING, WARDEN**  
Respondent.

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**No. 3:09-0623**  
**Judge Trauger**

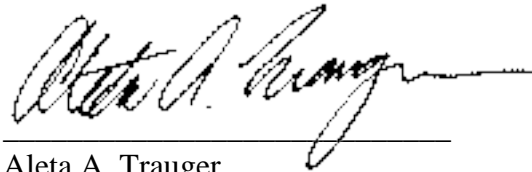
**ORDER**

In accordance with the Memorandum contemporaneously entered, the Court finds that the petitioner's habeas corpus petition, as amended (Docket Entry Nos. 1 and 20), has no merit. Therefore, the amended petition is DENIED and this action is hereby DISMISSED. Rule 8(a), Rules -- § 2254 Cases.

Should the petitioner file a timely notice of appeal from this order, such notice shall be treated as an application for a certificate of appealability, 28 U.S.C. § 2253(c), which will NOT issue because the petitioner has been unable to make a substantial showing of the denial of a constitutional right.

Entry of this order shall constitute the final judgment in this action.

It is so ORDERED.



Aleta A. Trauger  
United States District Judge